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Department of Toxic Substances Control

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1011 North Grandview Avenue
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Arnold Schwarzenegger
Governor

**RESPONSE TO COMMENTS
FOR
A CLOSURE DEMONSTRATION REPORT AND NOTICE OF EXEMPTION
FOR
SOUTHERN CALIFORNIA EDISON, HIGHGROVE GENERATING STATION
12700 TAYLOR STREET
GRAND TERRACE, CALIFORNIA
EPA ID. NO. CAD 000 631 028**

1. INTRODUCTION:

On January 2, 2007, the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) issued a public notice to accept public comments on the proposed Closure Demonstration Report and its Notice of Exemption for the Southern California Edison (SCE), Highgrove Generating Station, located at 12700 Taylor Street, Grand Terrace, California. The public comment period ended on February 1, 2007.

DTSC received comments from two public members which are included in their entirety. A copy of this Response to Comments was sent to the public members that submitted the comments to DTSC. There is no change necessary to be made to the proposed Closure Demonstration Report as a result of the comments.

The Final Closure Demonstration Report package, including DTSC's final Closure Demonstration Report decision, Notice of Exemption, and Closure Certification Acknowledgement, is located at the Grand Terrace Branch Library, at 22795 Barton Way, Grand Terrace, CA 92313. The Grand Terrace Branch Library can be contacted at (909)783-0147. If you are interested in reviewing SCE's administrative record, which includes documentation and correspondence associated with its retention basin closure activities and enforcement history, please contact DTSC's representative, Ms. Jone Barrio at (818)551-2886. DTSC's office is located at 1011 North Grandview Avenue, Glendale, California.

2. PUBLIC COMMENT

2.1. Comments submitted by Ms. Patricia Farley

- 2.1.1. I am submitting to you some of my comments and concerns regarding the Closure for the Southern California Edison, Highgrove Generating Station Retention Basins.

I am discovering that the residents and property owners in Grand Terrace are not being properly protected by the government agencies that are supposed to be implementing the laws meant to protect us. Sites with hazardous materials are not being properly permitted or appropriately monitored. All along the chain of command there are problems. Inaccurate and incomplete information is given out to different agencies by our city officials. Permits are given that should not have been given. Monitoring is not carried out in a timely manner and/or by people with the proper skills to be doing the monitoring.

Response to Comment No. 2.1.1: DTSC oversaw the closure activities of the retention basins project which was conducted according to the Final Judgement Pursuant to Stipulation, issued by a Judge of the Superior Court on February 1, 1995. DTSC determined that the retention basins were closed to meet the health risk based levels that are protective of public health and the environment. A health risk assessment was conducted and supported the determination that no restrictions are needed for the area of the retention basins. DTSC did not request any information regarding the closure of retention basins from the City; therefore, there is no possibility of having inaccurate information from the city officials. DTSC maintained two repositories of information on the status of the Highgrove activities related to the closure. These repositories were located at the Grand Terrace Library and at DTSC's Regional Records Fileroom in Glendale.

The retention basin closures project does not require any permit issuance. All closure investigation activities were conducted under supervision and oversight of professional registered geologists from both SCE's consultant and DTSC's geologist; therefore, DTSC is confident that appropriate professionals with the proper skills were involved in this retention basins closure project.

- 2.1.2. The EIR for the proposed high school next to the former Edison site is inaccurate and incomplete. Those compiling the EIR for the high school relied on inaccurate and incomplete information from the EIR for the OAC project that was being proposed right next to it. The map used that supposedly shows hazardous sites in the area is incomplete. The EIR for the OAC was found to be inadequate by a court of law.

Response to Comment No. 2.1.2: The EIR is not within the scope of the retention basins closure. However, DTSC's School Property Evaluation and Cleanup Division completed several investigations on the proposed school site, which includes a small portion of property formerly owned by SCE. These investigations included a Preliminary Endangerment Assessment and two

supplemental site investigations to delineate potential impacts from known historical commercial and industrial activities. The 2006 Supplemental Site Investigation focused on the portion formerly occupied by SCE, Highgrove Generating Station and considered potential adjacent land use impacts. This portion was used for agriculture only. Based on the investigations, slightly elevated levels of volatile organic compounds were found in one relatively small area, away from the former SCE, Highgrove Generating Station. The concentrations present may pose a slightly elevated long term risk under an unrestricted use scenario but are safe under a school use scenario.

For this reason, the school district intends to prepare a Removal Action Work Plan (RAW) to evaluate various remedial alternatives, including a land use covenant that would limit the site's use to a school. The RAW is currently in development and will be available for public review and comment in early Spring 2007. Along with the RAW, DTSC will likely propose a Notice of Exemption (based on the limited environmental impact of the proposed remedy) to comply with the California Environmental Quality Act,

Insofar as the school site's EIR, the school district indicates that it was approved in December 2005. DTSC regularly reviews CEQA documents for proposed school sites to ensure environmental concerns associated with historical operations, such as hazardous waste management activities, have been appropriately evaluated or are under investigation. In this case, the appropriate investigations were completed between May 2003 and October 2006.

- 2.1.3. There are businesses operating in Grand Terrace without proper licensing, permits, and or inspections.

Response to Comment No. 2.1.3: The city business licensing, permits and inspections are not within DTSC's jurisdiction, so DTSC cannot provide a response on such issues.

- 2.1.4. Projects are being proposed and approved without proper consideration of the cumulative problems with other nearby projects. When someone along the chain of command is too busy to look at an EIR, it is just assumed that there are no problems with the project, and projects that should be stopped are allowed to proceed.

Response to Comment No. 2.1.4: The project under consideration is for the closure of the retention basins which is a cleanup effort and not a new development. However, please note that DTSC and the California Energy Commission (CEC) are working collaboratively to ensure that the former SCE site is adequately investigated and remediated if necessary to ensure protection of the current and future planned uses at the site. In addition, DTSC is also collaborating with the School District to ensure protective and proper site

conditions are made to allow a school development to occur. Please see DTSC's Response to Comment 2.1.2 regarding the review of the EIR and please note that the EIR for the school is not within the scope of the retention basins closure project.

- 2.1.5. I do not trust Edison's assessments of their own projects, especially since the DTSC had to file complaints against Edison for treating and storing hazardous waste in its retention basins without a permit, and for failing to identify the hazardous chemicals in the waste. I'm very concerned about cumulative problems from this site as well as from other sites in Grand Terrace and Highgrove which are not being considered. The claims that students and residents are not going to be significantly affected by it all are extremely negligent.

Response to Comment 2.1.5: Edison did not believe its activities required a permit and the complaints filed by DTSC resulted in a Stipulated Judgment, filed in Superior Court, that resolved the issue between Edison and DTSC. Since then, all closure activities, assessments, data and reports undergo close review and scrutiny by DTSC prior to approval. Edison is now working diligently and collaboratively with DTSC to implement the closure and abide with current regulations. The closure demonstration and its health risk assessment were reviewed and approved by DTSC. The health risk assessment of the retention basins indicates that the retention basins were closed to meet the unrestricted land use criteria which mean that the site could be used for residential, commercial or industrial purposes. DTSC also reviewed the risk at the proposed school area and has approved the risk assessment. However, the school portion of the property is outside the scope of this public comment for closure of the retention basins.

- 2.1.6. People who requested to be notified of all the public meetings regarding the retention basins and the proposed power plant project were not given complete and proper information about the meetings. Documents related to the site were arbitrarily made unavailable for residents to look over at the Grand Terrace Branch Library.

Response to Comment No. 2.1.6: To request public comments, DTSC sent a fact sheet to all residents within a quarter mile of the SCE facility and placed documents at the Grand Terrace Branch Library for public review.

DTSC understands that the documents were moved from Grand Terrace Branch Library to the City Hall on January 24, 2007 during the public comment period due to an incident that occurred at the Library. Since the Library and City Hall are in the same building, the documents were moved from one area to another in the same building. The change in location was relayed by Library staff to all reviewers and the documents were available for public at the City Hall.

DTSC also stated in the fact sheet that documents related to the closure project were available at DTSC's Glendale office. DTSC's contact person name, phone number and e-mail address were listed in the fact sheet for public inquiries. DTSC has not received any request to review the file or received any inquiry regarding the project. DTSC is sending a copy of the fact sheet with this Response to Comment and DTSC's fact sheet is also available on the DTSC website at www.dtsc.ca.gov.

Regarding the proposed power plant project, this public comment period associated with the closure of the retention basins is not part of the California Energy Commission's power plant proposal; however, DTSC is separately providing that agency assistance and technical support for the power plant project. DTSC will forward this comment to the CEC. In addition, Ms. Farley can add her name and address to the CEC mailing list by contacting Mr. Bob Worl, of the California Energy Commission at (916) 651-8853.

- 2.1.7. Contaminated soil, contaminated water, a high-pressure natural gas line, noisy turbines, 80-foot exhaust stacks, risks of ammonia being released, and risks of freight train wrecks with possible toxic spills nearby are very significant impacts to students and residents throughout Grand Terrace and beyond. It is my understanding that the electricity that the plant will generate is not for the use of businesses and homes in Grand Terrace.

Response to Comment No. 2.1.7: While the retention basin closure activities are separate from your comments related to the proposed power plant, DTSC will forward your comments to the California Energy Commission. If you are concerned with the retention basins closure activities, the soils excavation has already occurred and consequently will not impact the future students or residents. Please note that the investigation results demonstrated that the soil beneath the retention basins meet unrestricted land use criteria which means that the area of the former retention basins can be used for residential, commercial or industrial purposes. The closure of the retention basins will not contribute to any risk associated with noise, high-pressure gas line, water, soil, air or any toxic spill.

- 2.1.8. The city officials in Grand Terrace have been demonstrating that they can not be trusted to give out accurate and complete information or to follow the laws that are meant to protect the residents and property owners in our city.

Response to Comment No. 2.1.8: Comment noted. While it appears you're your comment is not related to the closure of the retention basins, DTSC did not contact the city officials to obtain any information about the retention basin closure.

- 2.1.9. It is extremely important that your agency along with other government agencies responsible for protecting the environment carefully look at what is going on in Grand Terrace. More studies and public hearings are needed. DTSC should not accept Edison's assessment and conclusions regarding Southern California Edison, Highgrove Generating Station Retention Basins.

Response to Comment No. 2.1.9: Comment noted. DTSC has carefully reviewed the documents related to the retention basins closure. DTSC spent considerable time reviewing the conclusions, and requested additional investigation, characterization and analysis prior to approval of this Closure Demonstration Report. After the review of the data, DTSC determined that the assessments in the closure demonstration report properly address the closure of retention basins. Regarding your comment that more assessment is required, while DTSC has completed its assessment of the Retention Basins, DTSC will continue to investigate and assess the rest of the Southern California Edison property as part of its Corrective Action Program. Additional public comment and information will be afforded to the public in this process. Conducting Public Hearings are dictated by regulation. It may depend on the level of interest demonstrated by the public. To date, the level of interest, conveyed to the Department, for this site has been minimal. DTSC will however continue its outreach activities as necessary.

- 2.1.10. Your attention to my concerns would be greatly appreciated. Please add me to your mailing list.

Response to Comment 2.1.10: DTSC has added Ms. Farley to the facility mailing list which includes residents that live within a quarter mile of the facility.

2.2. Comments submitted by Ms. Sharon K. Abbott

- 2.2.1 Cumulative projects planned nearby have not been addressed adequately and barely mentioned in reports.

Response to Comment No. 2.2.1: Comment noted. The Closure Demonstration Report summarizes the closure activities for the retention basins only. Other projects such as the proposed school and power plant constructions are not part of this public comment period and should be addressed to the Colton School District or the California Energy Commission. Please note that as part of DTSC's Corrective Action Program, cumulative impacts will be evaluated as part of the sitewide corrective action investigation and assessment by DTSC in the future. DTSC will provide information on this effort in future public notices.

- 2.2.2 With additional pollution of any kind which would be created by the proposed power plant could create a very unhealthy environment at the proposed high school and residents close by if everything isn't taken into consideration and done more adequately.

Response to Comment No. 2.2.2.: The proposed power plant construction is not within the scope of this closure project.

- 2.2.3 It appears that Edison may not be the only one who didn't have required permits and being monitored properly as recent reports for other proposed projects do not list all potential hazardous sites. Also some facilities which should be on charts for AQMD and be required to have permits, do not appear to exist either and make these reports even more questionable. (Attachments include: (1) a map and a list of AQMD-listed facilities within 0.25 or 0.5 miles of proposed school site. Northeast of Taylor Street & Main Street, Grand Terrace; (2) a map of Potential Hazardous Sites; and (3) Hazards Listed in the EDR Reports).

Response to Comment No. 2.2.3.: The scope of this project is limited to the closure of retention basins only. Ms. Abbott should contact the Air Quality Management District (AQMD) should there be any concerns regarding illegal emissions to the air.

- 2.2.4 There is no doubt that more studies need to be done and a public hearing! It also appear that proper notification was not done to residents in Grand Terrace and Highgrove regarding this on almost anything either.

Response to Comment No. 2.2.4.: Please see response to Comment 2.1.9